



UNITED STATES
PATENT AND
TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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In re Application of:
OZAWA et al
Serial No.: 09/142,305
Filing Date: September 10, 1999
For: GENE THAT IMPARTS SELECTIVE
PROLIFERATIVE ACTIVITY
Attorney's Docket No.: 50026/012001

PETITION DECISION

This is in response to "communication" filed February 28, 2002. The communication is treated as "PETITION UNDER 37 C.F.R. 1.181 TO WITHDRAW HOLDING OF ABANDONMENT".

On June 21, 2001, a restriction was mailed to applicant. On January 29, 2002, a Notice of Abandonment was mailed which indicated that the application was abandoned for failing to timely file a proper reply to the Office letter mailed June 21, 2001. On February 28, the present petition was filed. The petition asserts that a "REPLY TO RESTRICTION REQUIREMENT" was timely filed on July 13, 2001. A copy of the postcard bearing the PTO stamp indicating that it was received on July 16, 2001 is also attached.

Accordingly, the petition is Granted. The application has been returned to pending status. The application is being forwarded to examiner after mailing of this decision.

PETITION GRANTED.

Bruce Kisliuk
Director, Technology Center 1600